CONSTITUTION,

BY-LAWS,

AND

CODE OF MEDICAL ETHICS,

ADOPTED BY THE

MILWAUKEE CITY MEDICAL ASSOCIATION,

December 9th, 1347.

MILWAUKEE:

DAILY WISCONSIN BOOK AND JOB PRINTING OFFICE 1848.



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Officers for 1847-8.

E. S. MARSH, M. D., President.

J. F. SPALDING, M. D., Vice President.

J. B. SELBY, M. D., Recording Secretary.

ALFRED MERCER, M. D., Corresponding Sccretary.

J. B. DOUSMAN, M. D., Treasurer.

Members.

Dr. J. S. Hewitt,

" J. B. Dousman,

" E. B. Wolcott,

" J. K. Bartlett,

" F. Heubschmann,

" E. S. Marsh,

" J. Johnson,

Dr. J. P. Greves,

" J. Selby, Sr.,
" J. P. Whitney,

" T. M. Wilcox,
" A. Blanchard,

" J. F. Spalding,

Dr. D. H. Shumway,

" H. Van Dusen,

" J. C. Dowe,
" A. Mercer,

" J. G. Wolcott, " W. Gorham.

Infirmary Physicians.

The association received from the founders of the MILWAUKER INFIRMARY, situated on the north-east corner of the Court House Square, a proposition to perform gratuitous medical and surgical services for the indigent sick of the institution, which was accepted, and the following-named gentlemen were selected by lottery for that purpose, to act for the ensuing year, commencing on the first day of May, 1848, viz.: Drs. J. B. Dousman, J. K. Bartlett, J. S. Hewitt, E. B. Wolcott, D. H. Shumway, James Johnson, J. P. Greves, J. B. Selby, Jr., J. F. Spalding, A. Blanchard, J. G. Wolcott, J. C. Dowe.

Physicians to the Poor and Board of Health.

By an agreement with the Common Council, the association appointed Drs. Dousman and Wilcox almshouse physicians, and Drs. Heubschmann, Bardett, Johnson, Greves, Shumway, Spalding, Hewitt, and Marsh, ward physicians to the poor. Also, the following board of Health: Drs. Marsh, Greves, Johnson, Heubschman, Whitney and Shumway.

CONSTITUTION.

ARTICLE 1. This society shall be known by the name of the Milwauker City Medical Association.

ART. 2. The object of this association shall be, to protect the interest and promote the advancement of the Medical and collateral sciences.

Arr. 3. The officers of this association shall consist of a President, Vice President, Recording and Corresponding Secretaries, and a Treasurer. The Corresponding and Recording Secretaries, with the Vice

President, shall form a publishing committee.

ART. 4. The officers of this association shall be elected by ballot, on the first Thursday of October in each year, and the officers thus elected shall take their seats at the following meeting of the association, and shall continue in office till a new election shall have taken place; but the officers for the remaining part of the years 1847 and 1848 may be elected at the pleasure of the association.

ART. 5. Duties of the President.—It shall be his duty to preside at all the meetings of the association, to appoint or call extra meetings whenever he shall deem it necessary, and at the expiration of his term

of office deliver an address before the association.

ART. 6. Duties of the Vice President.—In the absence of the President, he shall perform all the duties of the President of the association.

ART. 7. Duties of the Recording Secretary.—It shall be his duty to record the proceedings of the association, and keep and preserve all papers that may become the property of the association.

ART. 8. Duties of the Corressonding Secretary. It shall be his duty to lay before the association all communications addressed to the

same, and answer them under its direction.

- ART. 9. Duties of the Treasurer.—It shall be his duty to collect and receive all monies due the association; and disburse the same under its direction; to report the condition of the Treasury at the expiration of his term of office, and at all other times when required by the association.
- ART. 10. Duties of the Publishing Committee.—They shall be empowered, and it shall be their duty to select from among the papers belouging to the association, such medical intelligence, as may be likely to interest or enlighten the profession in general, and to forward the same to some medical journal for publication.

ART. 11. Members of the Association.—Any practicing physician in the city of Milwaukee may become a member of this association on

being duly elected, subscribing to this constitution, and fee-bill attached,

and paying one dollar into the treasury.

ART. 12. Requisites of Membership. Members of this association shall have received the degree of M. D. from some incorporated medical college, or a license to practice physic and surgery, from some county or state medical society.

ART. 13 .- Duties of Members .- It shall be the duty of each and every member of this association, to read in his turn, as may be agreed upon, a report of a case or cases, a paper upon some medical subject, or one of

the collateral sciences.

ART. 14. This constitution may be amended or altered by a vote of two thirds of all the members of the association, on a previous notice of at least one meeting.

BY-LAWS.

ARTICLE 1. The regular meetings of this association shall be held on every alternate Thursday, commencing on the first Thursday of October.

ART. 2. Seven members shall constitute a quorum.

ART. 3. The presiding officer, on taking the chair, shall state the object of the meeting, if a special one; if not, he shall call the order of business, which shall be as follows:

1. Calling the roll.

2. Reading of the minutes of the last meeting.

3. Reports of committees.

4. Communications from the Corresponding Secretary.

5. Admission of members.

6. Unfinished business of last meeting.

7. Medical communications, and their consideration.

8. Miseellaneous business.

ART. 4 .- No member shall speak twice on the same subject until all have spoken, who may wish to speak. Members are expected to address the President in the standing position, and any member may call to order another, if he be not standing, or supercede him by rising first.

ART. 5. All reports of eases shall be in writing, and shall become the property of the association. No interruption shall be given, or comment made, during the reading of any report of a ease, but when such report is concluded, both the matter and manner of such report shall be open to the criticism and discussion of the society.

ART. 6. The decision of the chair shall be binding in all cases, as to

the prior right of any member to report a case.

ART. 7. If indecorous language be at any time used by one member towards another, the offending member shall be ealled to order by the president and reprimanded, or fined, at the pleasure of the society.

ARY. 8. Every applicant for membership of this society shall present his credentials of professional qualification, to the Recording Secretary, whose duty it shall be to bring the matter before the association at the next regular meeting, and if two thirds of the members present vote for the admission of such applicant, he shall be admitted on complying with the rules of the society. The vote shall be taken by ballot, and in the

absence of the applicant.

ART. 9. Expulsion of Members.—Any member of this association may be expelled at any regular meeting of the society, provided a majority of the whole number constituting the society be present, and that two thirds of such majority vote for his expulsion. No member, however, shall be expelled, without his receiving from the Recording Secretary a written notice (if he be absent) of the charges preferred against him, and by whom preferred. He shall likewise have liberty at the two following meetings of the association, after said charges are preferred, to make his defence, and if he neglect so doing, and offers no reasonable excuse, he may be expelled.

CODE OF MEDICAL ETHICS.

The association unanimously adopted the following Code of Medical Ethics, recommended to the profession by the National Medical Convention, which met in May last, in Philadelphia.

INTRODUCTION.

MEDICAL ETHICS, as a branch of general ethics, must rest on the basis of religion and morality. They comprise not only the dutics, but, also, the rights of a physician; and, in this sense, they are identical with Medical Deontology—a term introduced by a late writer, who has taken

the most comprehensive view of the subject.

In framing a code on this basis, we have the inestimable advantage of deducing its rules from the conduct of the many eminent physicians who have adorned the profession by their learning and their piety. From the age of Hippocrates to the present time, the annals of every civilized people contain abundant evidences of the devotedness of medical men to the relief of their fellow-creatures from pain and disease, regardless of the privation and danger, and not seldom obloquy, encountered in return; a sense of ethical obligations rising superior in their minds, to considerations of personal advancement. Well and truly was it said, by one of the most learned men of the last century, that the duties of a physician were never more beautifully exemplified than in the conduct of Hippocrates, nor more eloquently described than in his writings.

We may here remark, that, if a state of probation be intended for moral discipline, there is, assuredly, much in the daily life of a physician to impart this salutary training, and to insure continuance in a course of self-denial, and at the same time, of zealous and methodical efforts for the relief of the suffering and unfortunate, irrespective of rank or fortune,

or of fortnitons elevation of any kind.

A few considerations on the legitimate range of medical ethics will serve as an appropriate introduction to the requisite rules for our gui-

dance in the complex relations of professional life.

Every duty or obligation implies, both in equity and for its successful discharge, a corresponding right. As it is the duty of the physician to advise, so he has a right to be attentively and respectfully listened to. Being required to expose his health and life for the benefit of the com-

munity, he has a just claim in return, on all its members, collectively and individually, for aid to carry out his measures, and for all possible tenderness and regard to prevent needlessly harrassing calls on his services, and unnecessary exhaustion of his benevolent sympathics.

His zeal, talents, attainments and skill are qualities which he holds in trust for the general good, and which cannot be prodigally spent, either through his own negligence or the inconsiderateness of others, without wrong and detriment both to himself and to them.

The greater the importance of the subject, and the more deeply interested all are in the issue, the more necessary is it that the physician—he who performs the chief part, and in whose judgment and discretion, under Providence, life is scenred, and death turned aside—should be allowed the free use of his faculties, undisturbed by a quernlous manner, and desponding, angry, or passionate interjections, under the plea of fear or grief, or disappointment of cherished hopes, by the sick and their friends.

All persons privileged to enter the sick room, and the number ought to be very limited, are under equal obligations of reciprocal courtesy, kindness and respect; and, if any exception be admissible, it cannot be at the expense of the physician. His position, purposes, and proper efforts, eminently entitle him to at least the same respectful and considerate attentions that are paid, as a matter of course, and apparently without constraint, to the clergyman, who is admitted to administer spiritual consolation, and to the lawyer, who comes to make the last will and testament.

Although professional duty requires of a physician, that he should have such a control over himself as not to betray strong emotion in the presence of his patient, nor to be thrown off his guard by the querulousness or even rudeness of the latter, or of his friends at the bedside, yet, and the fact ought to be generally known, many medical men, possessed of abundant attainments and resources, are so constitutionally timid and readily abashed as to lose much of their self-possession and usefulness at the critical moment, if opposition be abruptly interposed to any part of the plan which they are about devising for the benefit of their patients.

Medical ethics cannot be so divided as that one part shall obtain the full and proper force of moral obligations on physicians universally, and at the same time the other be construed in such a way as to free society from all restrictions in its conduct to them; leaving it to the caprice of the hour to determine whether the truly learned shall be overlooked in favor of ignorant pretenders—persons destitute alike of original talent and acquired fitness.

The choice is not indifferent, in an ethical point of view, besides its important bearing on the fate of the sick themselves, between the directness and sincerity of purpose, the honest zeal, the learning and impartial observations, accumulated from age to age for thousands of years, of the regularly initiated members of the medical profession, and the crooked devices and low arts, for evidently selfish ends, the unsupported promises and reckless trials of interloping empirics, whose very announcements of the means by which they profess to perform their wonders, are, for the most part misleading and false, and, so far, fraudulent.

In thus deducing the rights of a physician from his duties, it is not meant to insist on such a correlative obligation, that the withholding of the the right exonerates from the discharge of the duty. Short of the formal abandonment of the practice of his profession, no medical man can withhold his services from the requisition either of an individual or of the community, unless under circumstances of rare occurrence, in which his compliance would be not only unjust but degrading to himself and to a professional brother and so far diminish his future usefulness. discharge of their duties to society, physicians must be ever ready and prompt to administer professional aid to all applicants, without prior stipulation of personal advantages to themselves.

On them devolves, in a peculiar manner, the task of noting all the circumstances affecting the public health, and of displaying skill and ingenuity in devising the best means for its protection. rests, also, the solemn duty of furnishing accurate medical testimony in all cases of criminal accusation of violence, by which health is endangered and life destroyed, and in those other numerons ones, involving the question of mental sanity and of moral and legal responsibility.

On these subjects-Public Hygiene and Medical Jurisprudenceevery medical man must be supposed to have prepared himself by study, observation and the exercise of a sound judgment. They cannot be regarded in the light of accomplishments merely; they are an integral

part of the science and practice of medicine.

It is a delicate and noble task, by the judicious application of public hygiene, to prevent disease and to prolong life; and thus to increase the productive industry, and, without assuming the office of moral and religious teaching, to add to the civilization of an entire people.

In the performance of this part of their duty, physicians are enabled to exhibit the close connection between hygienc and morals; since all the causes contributing to the former, are nearly equally auxiliary to the

Physicians, as conservators of the public health, are bound to bear emphatic testimony against quackery in all its forms; whether it appears with its usual effrontery, or masks itself under the garb of philanthropy, and sometimes of religion itself.

By an anomaly in legislation and penal enactments, the laws, so stringent for the repression and punishment of frand in general, and against attempts to sell poisonous substances for food, are silent, and of course inoperative, in the cases of both fraud and poisoning so extensively

carried on by the host of quacks who infest the land.

The newspaper press, powerful in the correction of many abuses, is too ready for the sake of lucre to aid and abet the enormities of quackery. Honorable exceptions to the once general practice in this respect are becoming, happily, more numerous, and they might be more rapidly increased, if physicians, when themselves free from all taint were to direct the attention of editors and proprietors of newspapers, and of periodical works in general, to the moral bearings of the subject.

To those who, like physicians, can best see the extent of the evil, it is still more mortifying than in the instances already mentioned, to find members of other professions, and especially ministers of the gospel, so prone to give their countenance, and, at times, direct patronage, to medical empiries, both by their use of nostrums, and by their certificates in

favour of the absurd pretensions of these impostors.

The credulous, on these occasions, place themselves in the dilemma of bearing testimony either to a airacle or to an imposture: to a miracle, if one particular agent, and it often of known increases or slight power, can cure all diseases, or even any one disease in all its stages; to an imposture, if the alleged cures are not made, as experience shows that they are not.

But by no class are quack medicines and nostrums so largely sold and distributed as by apothecaries, whose position toward physicians, although it may not amount to actual affinity, is such that it ought, at least to prevent them from entering into an actual, if not formally recognized, alliance with empiries of every grade and degree of pretension.

Too frequently we meet with physicians who deem it a venial error, in ethics, to permit, and even to recommend, the use of a quack medicine or secret compound by their patients and friends. They forget that their toleration implies sanction of a recourse by the people generally to unknown, doubtful and conjectural fashions of medication; and that the credulous in this way soon become the victims of an endless succession of empiries. It must have been generally noticed, also, that they whose faith is strongest in the most absurd pretensions of quackery, entertain the greatest skepticism toward regular and philosophic medicine.

Adverse alike to ethical propriety and to medical logic, are the various popular delusions, which, like so many epidemics, have, in successive ages, excited the imagination with extravagant expectations of the enre of all diseases, and the prolongation of life beyond its enstomary limits, by means of a single substance. Although it is not in the power of physicians to prevent, or always to arrest, these delusions in their progress, yet it is incumbent on them, from their superior knowledge and better opportunities, as well as from their elevated vocation, steadily to refuse to extend to them the slightest countenance, still less support.

These delusions are sometimes manifested in the guise of a new and infallible system of medical practice,—the faith in which among the excited believers, is usually in the inverse ratio of the amount of common sense evidence in its favor. Among the volunteer missionaries for its dissemination, it is painful to see members of the sacred profession, who, above all others, ought to keep aloof from vagaries of any description, and especially of those medical ones, which are allied to empirical imposture.

The plea of good intention is not an adequate reason for the assumption of so grave a responsibility as the propagation of a theory and practice of medicine, of the real foundation and nature of which the mere medical amateur must necessarily, from his want of opportunities for study, observation and careful comparison, be profoundly ignorant.

In their relations with the sick, physicians are bound, by every consideration of duty, to exercise the greatest kindness with the greatest circumspection; so that, whilst they make every allowance for impatience, irritation, and inconsistencies of manner and speech of the sufferers, and do their utmost to sooth and tranquilize, they shall, at the same time, elicit from them, and the persons in their confidence, a revelation of

all the circumstances connected with the probable origin of the diseases which they are ealled upon to treat. Owing either to the confusion, and at times obliquity of mind produced by the disease, or to considerations of false delicacy and shame, the truth is not always directly reached on these occasions; and hence the necessity of a eareful and minute investigation into both the physical and moral state of the patient.

A physician in attendance on a case should avoid expensive complications and tedions ceremonials, as being beneath the dignity of true seience, and embarrassing to the patient and his family, whose troubles

are already great.

In their intercourse with each other, physicians will best consult and secure their own self-respect and consideration from society in general, by a uniform courtesy and high-minded conduct toward their professional brethren. The confidence in his intellectual and moral worth, which each member of the profession is ambitions of obtaining for himself among his associates, ought to make him willing to place the same confidenee in the worth of others.

Veracity, so requisite in all the relations of life, is a jewel of inestimable value in medical description and narrative, the lustre of which ought never to be tainted for a moment by even the breath of suspi-Physicians are peculiarly enjoined, by every consideration of honor, and of conscientious regard for the health and lives of their fellow beings, not to advance any statement unsupported by positive facts, nor to hazard an opinion or hypothesis that is not the result of deliberate inquiry into all the data and bearings of which the subject is capable.

Hasty generalization, paradox and fanciful conjectures, repudiated at all times by sound logic, are open to the severest reprehension on the Their tendency and pracstill higher grounds of humanity and morals.

tical operation cannot fail to be eminently mischievous.

Among medical men associated together for the performance of professional duties in public institutions, such as Medical Colleges, Hospitals and Dispensaries, there ought to exist, not only harmonious intercourse, but also a general harmony in doctrine and practice; so that neither students nor patients shall be perplexed, nor the medical community mortified by contradictory views of the theory of disease, if not of the means

of curing it.

The right of free inquiry, common to all, does not imply the utterance of crude hypotheses, the use of figurative language, a straining after novelty for novelty's sake, and the involution of old truths, for tempory effect and popularity, by medical writers and teachers. If, therefore, they who are engaged in a common cause, and for the furtherance of a common object, could make an offering of the extreme, the doubtful and the redundant, at the shrine of philosophical truth, the general harmony in medical teaching, now desired, would be of easy attainment.

It is not enough, however, that the members of the medical profession be zealous, well-informed and self-denying, unless the social principle be cultivated by their seeking frequent intercourse with each other, and

enltivating, reciprocally, friendly habits of acting in common.

By union alone can medical men hope to sustain the dignity and extend the usefulness of their profession. Among the chief means to bring about this desirable end, are frequent social meetings and regularly

organized societies; a part of whose beneficial operation would be an agreement on a suitable standard of medical education, and a code of medical ethics.

Greatly increased influence, for the entire body of the profession, will be aequired by a union for the purposes of common benefit and the general good; while to its members, individually, will be insured a more pleasant and harmonious intercourse, one with another, and an avoidance of many heartburnings and jealousies, which originate in misconception, through misrepresentation on the part of individuals in general society, of each other's disposition, motives and conduct.

In vain will physicians appeal to the intelligence and elevated feelings of the members of other professions, and of the better part of society in general, unless they be true to themselves, by a close adherence to their duties, and by firmly, yet mildly, insisting on their rights; and this not with a glimmering perception and faint avowal, but, rather, with a full

understanding and firm conviction.

Impressed with the nobleness of their vocation, as trustees of science, and almoners of benevolence and charity, physicians should use unceasing vigilance to prevent the introduction into their body of those who have not been prepared by a suitably preparatory moral and intellectual

No youth ought to be allowed to study medicine, whose capacity, good conduct, and elementary knowledge are not equal, at least to the

common standard of academical requirements.

Human life and human happiness must not be endangered by the incompetency of presumptious pretenders. The greater the inherent difficulties of medicine, as a science, and the more numerous the complications that embarrass its practice, the more necessary is it that there should be minds of a high order and thorough cultivation, to unravel its misteries, and to deduce scientific order from apparently empirical confusion.

We are under the strongest ethical obligations to preserve the character which has been awarded by the most learned men and best judges of human nature, members of the medical profession, for general and extensive knowledge, great liberality and dignity of sentiment, and prompt effusions of beneficence.

In order that we may continue to merit these praises, every physician within the circle of his aequaintance, should impress both fathers and sons with the range and variety of medical study, and with the necessity of those who desire to engage in it, possessing not only good preliminary knowledge, but, likewise, some habits of regular and systematic

thinging.

If able teachers and writers, and profound inquirers, be still called for to expound medical science, and to extend its domain of practical application and usefulness, they eannot be procured by intuitive effort on their own part, nor by the exercise of the elective suffrage on the part of others. They must be the product of a regular and comprehensive systemmembers of a large class, from the great body of which they only differ by the force of fortuitous circumstances, that gives them temporary vantage ground for the display of qualities and attainments common to their brethren.

CHAPTER I.

Of the Duties of Physicians to their Patients, and of the Obligations of Patients to their Physicians.

ART. L-DUTIES OF PHYSICIANS TO THEIR PATIENTS.

§ 1. A physician should not only be ever ready to obey the calls of the siek, but his mind ought also to be imbued with the greatness of his mission, and the responsibility he habitually incurs in its discharge. Those obligations are the more deep and enduring, because there is no tribunal, other than his own conscience, to adjudge penalties for earelessness or neglect. Physicians should, therefore, minister to the siek with due impressions of the importance of their office; reflectig that the ease, the health, and the lives of those committed to their charge, depend on their skill, attention and fidelity. They should study, also, in their deportment, so to unite tenderness with firmness, and condescension with authority, as to inspire the minds of their patients with gratitude, respect and confidence.

Every case committed to the charge of a physician should be treated with attention, steadiness and humanity. Rensonable indulgence should be granted to the mental imbecility and caprices of the sick. Secreey and delicacy, when required by peculiar circumstances, should be strictly observed; and the familiar and confidential intercourse to which physicians are admitted in their professional visits, should be used with discretion, and with the most scrupulous regard to fidelity and honor. The obligation of secreey extends beyond the period of professional services; none of the privacies of personal and domestic life, no infirmity of disposition, or flaw of character observed during professional attendance, should ever be divulged by him, except when imperatively required to do so. The force and necessity of this obligation are indeed so great that professional men have, under certain circumstances, been protected in their, observance of secrecy by courts of justice.

§ 3. Frequent visits to the sick are in general requisite, since they enable the physican to arrive at a more perfect knowledge of the disease-to meet promptly every change which may occur, and also tend to preserve the confidence of the patient. But unnecessary visits are to be avoided, as they give useless anxiety to the patient, tend to diminish the authority of the physician, and render him liable to be

suspected of interested motives.

A physician should not be forward to make gloomy prognostications, because they savor of empiricism, by magnifying the importance of his services in the treatment or cure of the disease. But he should not fail, on proper occasions, to give to the friends of the patient timely notice of danger, when it really occurs; and even to the patient himself, if absolutely necessary. This office, however, is so peculiarly alarming, when executed by him, that it ought to be declined whenever it can be assigned to any other person of sufficient judgment and delicacy. For, the physician should be the minister of hope and comfort

to the sick; that, by such cordials to the drooping spirit, he may smooth the bed of death, revive expiring life, and counteract the depressing influence of those maladies which often disturb the tranquility of the most resigned, in their last moments. The life of a sick person can be shortened not only by the acts, but also by the words or manner of a physician. It is therefore a sacred duty to guard himself carefully in this respect, and to avoid all things which have a tendency to discourage the patient and to depress his spirits.

§ 5. A physician ought not to abandon a patient because the case is deemed incurable; for his attendance may continue to be highly useful to the patient, and comforting to the relatives around him, even in the last period of a fatal malady, by alleviating pain and other symptoms, and by soothing mental anguish. To decline attendance, under such circumstances, would be sacrificing to fanciful delicacy and inistaken liberality that moral duty, which is independent of and far

superior to all pecuniary consideration.

§ 6. Consultations should be promoted in difficult or protracted cases, as they give rise to confidence, energy, and more enlarged views

in practice.

§ 7. The opportunity, which a physician not unfrequently enjoys of promoting and strengthening the good resolutions of his patients, suffering under the consequences of vicious conduct, ought never to be neglected. His counsels, or even remonstrances, will give satisfaction, not offence, if they be proffered with politeness, and evince a genuine love of virtue, accompanied by a sincere interest in the welfare of the person to whom they are addressed.

ART. II.-OBLIGATIONS OF PATIENTS TO THEIR PHYSICIANS.

§ 1. The members of the medical profession, upon whom are enjoined the performance of so many important and arduous duties toward the community, and who are required to make so many sacrifices of comfort, ease and health, for the welfare of those who avail themselves of their services, certainly have a right to expect and require that their patients should entertain a just sense of the duties which they owe to their medical attendants.

§ 2. The first duty of a patient is, to select as his medical adviser one who has received a regular professional education. In no trade or occupation do mankind rely on the skill of an untaught artist; and in medicine, confessedly the most difficult and intricate of the sciences,

the world ought not to suppose that knowledge is intuitive.

§ 3. Patients should prefer a physician whose habits of life are regular, and who is not devoted to company, pleasure, or to any pursuit incompatible with his professional obligations. A patient should, also, confide the care of himself and family as much as possible to one physician, for a medical man who has become acquainted with the peculiarities of constitution, habits and predispositions of those he attends, is more likely to be successful in his treatment, than one who does not possess that knowledge.

A patient who has thus selected his physician should always apply for advice in what may appear to him trivial cases, for the most fatal

results often supervene on the slightest accidents. It is of still more importance that he should apply for assistance in the forming stage of violent diseases; it is to a neglect of this precept that medicine owes much of the uncertainty and imperfection with which it has been reproached.

§ 4. Patients should faithfully and unreservedly communicate to their physician the supposed cause of their disease. This is the more important, as many diseases of a mental origin stimulate those depending on external causes, and yet are only to be cured by ministering to the mind diseased. A patient should never be afraid of thus making his physician his friend and adviser; he should always bear in mind that a medical man is under the strongest obligations of secrecy. Even the female sex should never allow feelings of shame or delicacy to prevent their disclosing the seat, symptoms and causes of complaints peculiar to them. However commendable a modest reserve may be in the common occurrences of life, its strict observance in medicine is often attended with the most serious consequences, and a patient may sink under a painful and loathsome disease, which might have been readily prevented, had timely intimation been given to the physician.

§ 5. A patient should never weary his physician with a tedious detail of events or matters not appertaining to his disease. Even as relates to his actual symptoms, he will convey much more real information by giving clear answers to interrogatories, than by the most minute account of his own framing. Neither should he obtrude the details of his business, nor the history of his family concerns.

§ 6. The obedience of a patient to the prescriptions of his physician should be prompt and implicit. He should never permit his own crude opinions as to their fitness, to influence his attention to them .-A failure in one particular may render an otherwise judicious treatment, dangerous, and even fatal. This remark is equally applicable to diet, drink, and exercise. As patients become convalescent they are very apt to suppose that the rules prescribed for them may be disregarded, and the consequence but too often is a relapse. Patients should never allow themselves to be persuaded to take any medicine whatever that may be recommended to them by the self-constituted doctors and doctresses, who are so frequently met with, and who pretend to possess infallible remedies for the cure of every disease. However simple some of their prescriptions may appear to be, it often happens that they are productive of much mischief, and in all cases they are injurious by contravening the plan of treatment adopted by the physician.

§ 7. A patient should, if possible, avoid even the friendly visits of a physician who is not attending him; and when he does receive them, he should never converse on the subject of his disease, as an observation may be made, without any intention of interference, which may destroy his confidence in the course he is pursuing, and induce him to neglect the directions prescribed to him. A patient should never send for a consulting physician without the express consent of his own medical attendant. It is of great importance that physicians should act in concert; for, although their modes of treatment may be attended.

with equal success, when employed singly, yet conjointly they are very likely to be productive of disastrous results.

§ 8. When a patient wishes to dismiss his physician, justice and common courtesy require that he should declare his reasons for so

doing.

- § 9. Patients should always, when practicable, send for their physician in the morning, before his usual hour of going out; for, by being early aware of the visits he has to pay, during the day, the physician is able to apportion his time in such a manner as to prevent an interference of engagements. Patients should also avoid calling on their medical adviser unnecessarily during the hours devoted to meals or sleep. They should always be in readiness to receive the visits of their physician, as the detention of a few minutes is often of serious inconvenience to him.
- § 10. A patient should, after his recovery, entertain a just and enduring sense of the value of the services rendered him by his physician; for these are of such a character, that no mere pecuniary acknowledgment can repay or cancel them.

CHAPTER II.

Of the Duties of Physicians to each other, and to the Profession at large.

ART, I.-DUTIES FOR THE SUPPORT OF PROFESSIONAL CHARACTER

- § 1. Every individual on entering the profession, as he becomes thereby entitled to all its privileges and immunities, incurs an obligation to exert his best abilities to maintain its dignity and honor, to exalt its standing, and to extend the bounds of its usefulness. He should therefore observe strictly, such laws as are instituted for the government of its members; should avoid all contumelious and sarcastic remarks relative to the faculty, as a body; and while, by unwearied diligence, he resorts to every honorable means of enriching the science, he should entertain a due respect for his seniors, who have, by their labors, brought it to the elevated condition in which he finds it.
- § 2. There is no profession, from the members of which greater purity of character and a higher standard of moral excellence are required, than the medical; and to attain such eminence, is a duty every physician owes alike to his profession, and to his patients. It is due to the latter, as, without it, he cannot command their respect and confidence, and to both, because no scientific attainments can compensate for the want of correct moral principles. It is also incumbent upon the faculty to be temperate in all things, for the practice of physic requires the unremitting exercise of a clear and vigorous understanding; and, on emergencies, for which no professional man should be unprepared, a steady hand, an acute

eye, and an unclouded head may be essential to the well-being, and even to the life of a fellow-creature.

§ 3. It is derogatory to the dignity of the profession to resort to public advertisements, or private cards or handbills, inviting the attention of individuals affected with particular diseases—publicly offering advice and medicine to the poor gratis, or promising radical cures; or to publish cases and operations in the daily prints, or suffer such publications to be made—to invite laymen to be present at operations—to boast of cures and remedies—to adduce certificates of skill and success, or to perform any other similar acts. These are the ordinary practices of empirics, and

arc highly reprchensible in a regular physician.

§ 4. Equally derogatory to professional character is it for a physician to hold a patent for any surgical instrument or medicine; or to dispense a secret nostrum, whether it be the composition or exclusive property of himself, or of others. For, if such nostrum be of real efficacy, any concealment regarding it is inconsistent with beneficence and professional liberality; and, if mystery alone give it value and importance, such craft implies either disgraceful ignorance, or fraudulent avarice. It is also represensible for physicians to give certificates attesting the efficacy of patent or secret medicines, or in any way to promote the use of them.

ART, 11,-PROFESSIONAL SERVICES OF PHYSICIANS TO EACH OTHER

§ 1. All practitioners of medicine, their wives, and their children, while under the paternal care, are entitled to the gratuitous services of any one or more of the faculty residing near them whose assistance may be desired. A physician afflicted with disease is usually an incompetent judge of his own case; and the natural anxiety and solicitude which he experiences at the sickness of a wife, a child, or any onc who by the ties of consanguinity is rendered peculiarly dear to him, tend to obscure his judgment, and produce timidity and irresolution in his Under such circumstances, medical men are peculiarly dependent upon each other, and kind offices and professional aid should practice. always be cheerfully and gratuitously afforded. Visits ought not, however, to be obtruded officiously; as such unasked civility may give rise to embarrassment, or interfere with that choice on which confidence depends. But if a distant member of the faculty, whose circumstances are affluent, request attendance, and an honorarium be offered, it should not be declined; for no pecuniary obligation ought to be imposed which the party receiving it would wish not to incur.

ART. III.-OF THE DUTIES OF PHYSICIANS AS RESPECTS VICARIOUS OFFICES.

§ 1. The affairs of life, the pursuit of health, and the various accidents and contingencies to which a medical man is peculiarly exposed, sometimes require him temporarily to withdraw from his duties to his patients, and to request some of his professional brethren to officiate for him. Compliance with this request is an act of courtesy, which should always be performed with the utmost consideration for the interest and character of the family physician, and when exercised for a short period, all the pecuniary obligations fo such service

should be awarded to him. But if a member of the profession neglect his business in quest of pleasure and anusement, he cannot be considered as entitled to the advantages of the frequent and long-continued exercise of this fraternal courtesy, without awarding to the physician who officiates the fees arising from the discharge of his professional duties.

In obstetrical and important surgical cases which give vise to unusual fatigue, anxiety and responsibility, it is just that the fees accruing therefrom should be awarded to the physician who officiates.

ART. IV .- OF THE DUTIES OF PHYSICIANS IN REGARD TO CONSULTATIONS.

§ 1. A regular medical education furnishes the only presumptive evidence of professional abilities and acquirements, and ought to be the only acknowledged right of an individual to the exercise and honors of his profession. Nevertheless, as in consultations the good of the patient is the sole object in view, and this is often dependent on personal confidence, no intelligent regular practitioner who has a liceuse to practice from some medical board of known and acknowledged respectability, recognized by this association, and who is in good moral and professional standing in the place in which he resides should be fastidiously excluded from fellowship, or his aid refused in consultation when it is requested by the patient. But no one can be considered as a regular practitioner, or a fit associate in consultation, whose practice is based on an exclusive dogma, to the rejection of the accumulated experience of the profession, and of the aids actually furnished by anatomy, physiology, pathology, and organic chimistry.

§ 2. In concultations no rivalship or jealousy should be indulged; candor, probity, and all due respect should be exercised toward the phy-

sician having charge of the easc.

§ 3. In consultations, the attending physician should be the first to propose the necessary questions to the sick; after which the consulting physician should have the opportunity to make such farther inquiries of the patient as may be necessary to satisfy him of the true character of the case. Both physicians should then retire to a private place for deliberation; and the one first in attendance should communicate the directions agreed upon to the patient or his friends, as well as any opinions which it may be thought proper to express. But no statement or discussion of it should take place before the patient or his friends, except in the presence of all the faculty attending, and by their common consent; and no opinions or prognostications should be delivered, which are not the result of previous deliberation and concurrence.

§ 4. In consultations, the physician in attendance should deliver his opinion first; and when there are several consulting; they should deliver their opinions in the order in which they have been called in. No decision, however, should restrain the attending physician from making such variations in the mode of treatment as any subsequent unexpected change in the character of the case may demand. But such variation and the reasons for it ought to be carefully detailed at the next meeting in consultation. The same privilege belongs also to the consulting physician if he is sent for in an emergency, when the regular attendant is out of the

way, and similar explanations must be made by him at the next consultation.

The utmost puntuality should be observed in the visits of phy-\$ 5. sicians when they are to hold consultations together, and this is generally practicable, for society has been considerate enough to allow the plea of a professional engagement to take precedence of all others, and to be an ample reason for the relinquishment of any present occupation. But as professional engagements may sometimes interfere and delay one of the parties, the physician who first arrives should wait for his associates a reasonable period, after which the consultation should be considered as postponed to a new appointment. If it be the attending physician who is present, he will of course see the patient and prescribe; but if it be the consulting one, he should retire, except in ease of emergency, or when he has been called from a considerable distance, in which latter case, he may examine the patient, and give his opinion in writing and under seal, to be delivered to his associate.

In consultations, theoretical discussions should be avoided, as occasioning perplexity and loss of time. For there may be much diversity of opinion concerning speculative points, with perfect agreements in those modes of practice which are founded, not on hypothesis, but on

experience and observation.

§ 7. All discussions in consultation should be held in secret and confidential. Neither by words nor manner should any of the parties to a consultation assert or insinuate, that any part of the treatment pursued did not receive his assent. The responsibility must be equally divided between the medical attendants, -they must equally share the credit of

success as well as the blame of failure.

§ 8. Should an irreconcilable diversity of opinion occur when several physicians are called upon to consult together, the opinion of the majority should be considered as decisive; but if the numbers be equal on each side, then the decision should rest with the attending physician. It may, moreover, sometimes happen, that two physicians cannot agree in their views of the nature of a ease, and the treatment to be pursued. This is a circumstance much to be deplored, and should always be avoided if possible, by mumal concessions, as far as they can be justified by a conscientious regard for the dictates of judgment. But in the event of its occurrence, a third physician should, if practicable, be called to act as umpire, and if circumstances prevent the adoption of this course, it must be left to the patient to select the physician in whom he is most willing to confide. But as every physician relies upon the rectitude of his judgment, he should, when left in the minority, politely and consistently retire from any further deliberation in the consultation, or participation in the management of the case.

§ 9. As circumstances sometimes occur to render a special consultation desirable, when the continued attendance of two physicians might be objectionable to the patient, the member of the faculty whose assistance is required in such cases, should sedulously guard against all future unsolicited attendance. As such consultations require an extraordinary portion both of time and attention, at least a double honorarium may be

reasonably expected.

§ 10. A physician who is called upon to consult, should observe the

most honorable and scrupulous regard for the character and standing of the practitioner in attendance: the practice of the latter, if necessary, should be justified as far as it can be, consistently with a conscientious regard for truth, and no hint or insinuation should be thrown out which could impair the confidence reposed in him, or affect his reputation. The consulting physician, should also carefully refrain from any of those extraordinary attentions or assiduities, which are too often practiced by the dishonest for the base purpose of gaining applause, or ingratiating themselves into the favor of families and individuals.

ART. V.-DUTIES OF PHYSICIANS IN CASES OF INTERFERENCE.

§ 1. Medicine is a liberal profession, and those admitted into its ranks should found their expectations of practice upon the extent of their

qualifications, not on intrigue or artifice.

§ 2. A physician, in his intercourse with a patient under the care of another practitioner, should observe the strictest caution and reserve. No meddling inquiries should be made; no disingenuous hints given relative to the nature and treatment of his disorder; nor any course of conduct pursued that may directly or indirectly tend to diminish the trust

reposed in the physician employed.

§ 3. The same circumspection and reserve should be observed, when from motives of business or friendship, a physician is prompted to visit an individual who is under the direction of another practitioner. Indeed such visits should be avoided, except under peculiar circumstances, and when they are made, no particular inquiries should be instituted relative to the nature of the disease, or the remedies employed, but the topics of conversation should be as foreign to the case as circumstances will admit.

§ 4. A physician ought not to take charge of, or prescribe for a patient who has recently been under the care of another member of the faculty in the same illness, except in cases of sudden emergency, or in consultation with the physician previously in attendance, or when the latter has relinquished the case or been regularly notified that his services are no longer desired. Under such circumstances, no unjust and illiberal insinuations should be thrown out in relation to the conduct or practice previously pursued, which should be justified as far as candor, and regard for truth and probity will permit; for it often happens that patients become dissatisfied when they do not experience immediate relief, and, as many diseases are naturally protracted, the want of success in the first stage of treatment, affords no evidence of a lack of professional knowledge and skill.

§ 5. When a physician is called to an urgent case, because the family attendant is not at hand, he ought, unless his assistance in consultation be desired, to resign the care of the patient to the latter, on his arrival.

§ 6. It often happens, in cases of sudden illness, or of recent accidents and injuries, owing to the alarm and anxiety of friends, that a number of physicians is simultaneously sent for. Under these circumstances courtesy should assign the patient to the first who arrives, who should select from those present any additional assistance that he may deem necessary. In all such cases, however, the practitioner who officiates,

should request the family physician, if there be one, to be called, and, unless his farther attendance be requested, should resign the case to the latter on his arrival.

§ 7. When a physicirn is called to the patient of another practitioner, in consequence of the sickness or absence of the latter, he ought, on the return or recovery of the regular attendant, and with the consent of the

patient, to surrender the case.

§ 8. A physician, when visiting a sick person in the country may be desired to see a neighboring patient who is under the regular direction of another physician, in consequence of some sudden change or aggravation of symptoms. The conduct to be pursued on such an occasion is to give advice adapted to present circumstances; to interfere no farther than is absolutely necessary with the general plan of treatment; to assume no future direction, unless it be expressly desired; and, in this last case, to request an immediate consultation with the practitioner previously employed.

§ 9. A wealthy physician should not give advice gratis to the affluent, because his doing so is an injury to his professional brethren. The office of a physician can never be supported as an exclusively beneficent one; and it is defrauding in some degree, the common funds for its support, when fees are dispensed with, which might justly be claimed.

§ 10. When a physician who has been engaged to attend a case of midwifery, is absent, and another is sent for, if delivery is accomplished during the attendance of the latter, he is entitled to the fee, but should resign the patient to the practitioner first engaged.

ART. VI .- OF DIFFERENCES BETWEEN PHYSICIANS.

§ 1. Diversity of opinion, and opposition of interest, may in the medical, as in other professions, sometimes occasion controversy and even contention. Whenever such eases unfortunately occur, and cannot be immediately terminated, they should be referred to the arbitration of a

sufficient number of physicians, or a court-medical.

As peculiar reserve must be maintained by physicians toward the public in regard to professional matters, and as there exist numerous points in medical ethics and etiquette through which the feelings of medical men may be painfully assailed in their intercourse with each other, and which cannot be understood or appreciated by general society, neither the subject matter of such differences, nor the adjudication of the arbitrators should be made public, as publicity in a case of this nature may be personally injurious to the individuals concerned, and can hardly fail to bring discredit on the faculty.

ART. VII .- OF PECUNIARY ACKNOWLEDGMENTS.

§ 1. Some general rules should be adopted by the faculty in every town or district, relative to pecuniary acknowledgments from their patients; and it should be deemed a point of honor to adhere to these rules with as much uniformity as varying circumstances will admit.

CHAPTER III.

Of the Duties of the Profession to the Public, and of the Obligations of the Public to the Profession.

ART. I.-DUTIES OF THE PROFESSION TO THE PUBLIC.

§ 1. As good citizens, it is the duty of physicians to be ever vigilant for the welfare of the community, and to bear their part in sustaining its institutions and burdens. They should also be ever ready to give counsel to the public in relation to matters especially appertaining to their profession, as on subjects of medical police, public hygiene, and legal medicine. It is their province to enlighten the public in regard to quarantine regulations,—the location, arrangement, and dietaries of hospitals, asylums, schools, prisons, and similar institutions,—in relation to the medical police of towns, as drainage, ventillation, &c., and in regard to measures for the prevention of epidemic and contagious diseases; and when pestilence prevails it is their duty to face the danger and continue their labors for the alleviation of the suffering, even at the jeopardy of their own lives.

§ 2. Medical men should also be always ready, when called on by the legally constituted authorities, to enlighten coroners' inquests and courts of justice, on subjects strictly medical—such as involve questions relating to sanity, legitimacy, murder by poisons or other violent means, and in regard to the various other subjects embraced in the science of medical jurisprudence. But in these cases, and especially where they are required to make a post-mortem examination, it is just, in consequence of the time, labor, and skill required, and the responsibility and risk they they incur, that the public should award them a proper honorarium.

- § 3. There is no profession, by the members of which eleemosynary services are more liberally dispensed, than the medical, but justice requires that some limits should be placed to the performance of such good offices. Poverty, professional brotherhood, and certain public duties referred to in § 1, of this chapter, should always be recognized as presenting valid claims for gratuitous services, but neither institutions endowed by the public or by rich individuals, societies for mutual benefit, for the insurance of lives or for analogous purposes, nor any profession or occupation, can be admitted to possess such privilege. Nor can it be justly expected of physicians to furnish certificates of inability to serve on juries, to perform militia duty, or to testify to the state of health of persons wishing to insure their lives, obtain pensions, or the like, without a pecuniary acknowledgment. But to individuals in indigent circumstances, such professional services should always be cheerfully and freely accorded.
- § 4. It is the duty of physicians, who are frequent witnesses of the enormities committed by quackery, and the injury to health and even destruction of life caused by the use of quack medicines, to enlighten the public on these subjects, to expose the injuries sustained by the unwary from the devices and pretensions of artful empirics and impostors. Physicians ought to use all the inflence which they may possess, as profess-

ors in Colleges of Pharmaey, and by exercising their option in regard to the shops to which their prescriptions shall be sent, to discourage druggists and apothecaries from vending quack or secret medicines, or from being in any way engaged in their manufacture and sale.

ART. II .- OBLIGATIONS OF THE PUBLIC TO PHYSICIANS.

§ 1. The benefits accruing to the public directly and indirectly from the active and unwearied beneficence of the profession, are so numerous and important, that physicians are justly entitled to the utmost consideration and respect from the community. The public ought likewise to entertain a just appreciation of medical qualifications;—to make a proper discrimination between true science and the assumptions of ignorance and empiricism,—to afford every encouragement and facility for the acquisition of medical education,—and no longer to allow the statute books to exhibit the anomaly of exacting knowledge from physicians, under liability to heavy penalties, and of making them obnoxious to punishment for restoring to the only means of obtaining it.



